

us from mandating an auction of the spectrum which belongs to the taxpayers.

The estimates are that this spectrum is worth somewhere around \$30 billion—"b," billion dollars. Now we are going to accept language which is exactly what the broadcasters wanted.

In exchange for it, we get letters. We get letters which have no standing in law, which have no standing anywhere. I have grown a bit cynical in the years that I have spent here in Congress, not to recognize what is happening.

I can only speak for people on this side of the aisle about our philosophy of the role of Government. When something is owned by the taxpayer and is of great value and we are facing debts of incredible proportions, \$4, \$5 trillion, annual deficits of \$150 billion, and we have a way of taking that very valuable commodity that is owned by the taxpayers and auctioning it off, and now we are being prevented basically from doing so—despite the fig leaf of these letters—I think it is a very sad day. Because in this legislation the broadcasters are well represented. The taxpayers of America are not represented at all.

So, as we adopt this legislation, and these letters, which I could describe in somewhat graphic terms but will not—they are entered into the RECORD—let us have no illusions about what is happening here. What is happening here is the odds are the taxpayers of America will never receive that \$30 billion in return for the auctioning off of a commodity which they own.

Mr. President, I had a lot of problems with the telecommunications bill, as is well known here. I proposed numerous amendments which were defeated. But all of them pale in comparison to what we are talking about here, especially since we already have proof, with a \$682 million auction of a small amount of spectrum that took place a couple of weeks ago, of the value which we are not addressing in this legislation today.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DOLE. Mr. President, I first want to thank the Senator from Arizona for his statement. I can assure him that if the FCC means what they say in the letter, "only pursuant to additional legislation it may adopt resolving this issue"—I think both the Senator from Arizona and the Senator from Kansas are going to be around. And there will not be any legislation unless it resolves the issue fairly for the American taxpayer.

I think this is very important. I know there are Members on each side of the aisle who are concerned about it. It is not a partisan issue. Here we are, trying to balance the budget, cutting welfare, cutting other programs, and about to give a big handout here to the rich, the powerful.

We have not seen a single story on any of the networks about this issue.

We see a lot of stories on the networks about some Member of Congress going somewhere on a "junket," they always like to say on the networks. But I have not seen anybody, except for CNN, not a single story on what could be the biggest giveaway of the century—not one.

I think we could have done better in the discussions, myself, yesterday.

I talked to the Speaker, and the Speaker said, "You got rolled." Everybody got rolled. But that is history. It will not happen again. I think this is a very important issue. You will not see it on television. You will not see it on the networks. You probably will not see it in any newspaper that owns television because this affects them. We should not raise things, in effect, for the rich and the powerful.

So I appreciate the concerns expressed, and we will continue to pursue this matter.

Mr. MCCAIN. Mr. President, will the majority leader yield for a comment?

Mr. DOLE. I am happy to yield.

Mr. MCCAIN. I want to thank the majority leader for his efforts on the spectrum auction. It would have sailed right through, because the fix was in. Had it not been for his efforts—I am sorry that he was out of town yesterday. I am sorry that we did not get, as the leader said, a better deal.

The thing I worry about, of course, is that with the present language in the bill, which should have been stripped out, next year sometime someone will sue and go to court with the FCC and force the FCC to be in compliance with the law that we are about to pass today. That is what I worry about.

But I do want to thank the majority leader sincerely for his efforts for bringing this issue to the attention at least to the print media. As the majority leader mentioned, we will not see this story on any television or hear it on any radio broadcast because it directly affects them.

But I want to thank the majority leader for his efforts. I take in good faith his commitment for us to try to get it up. I just know that the forces that are represented—the special interests here in Washington—have won. I regret it because it is the American taxpayer who now may be losing \$30 billion. If we had done the right thing and stripped that language out of the bill, there was no chance that anything else would have happened.

I thank the majority leader for his efforts.

AGRICULTURAL MARKET TRANSITION ACT OF 1996

The Senate continued with the consideration of the bill.

Mr. DOLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The cloture motion.

Mr. DOLE. I ask unanimous consent that the pending cloture vote be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE TELECOMMUNICATIONS BILL

Mr. DOLE. I think the managers on each side of the aisle are here. We do not want to take a lot of time. We are trying to work out something on the agriculture bill, a bipartisan solution, if you please. Senator LUGAR, Senator LEAHY, and others on both sides have been active. We had a meeting in Senator DASCHLE's office, including myself, Senator DASCHLE, Senator LEAHY, and Senator LUGAR. We believe there can be a resolution. But rather than keep people here late, late tonight, we would like to move ahead and have the debate on the telecommunications conference report.

I understand that is agreeable to the Senators from South Dakota and South Carolina. I think there is a need to get consent on the other side of the aisle before we can proceed. There is no time limit. We hope to get an hour or two for a time limit. We said we cannot get that at the present time. But we would like to ask consent—I will not make the request now, but if we can get it cleared, I would simply ask consent that, notwithstanding the absence of official papers, the Senate now turn to the consideration of the conference report to accompany S. 652, the telecommunications bill, and the conference report be considered read.

That would just permit us to go ahead and have the debate.

I ask unanimous consent, notwithstanding the absence of official papers—

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN addressed the Chair.

Mr. DOLE. I have not made the request yet. I will repeat what I said and make the request.

Mr. HARKIN. I understand that there is a consent request to move right now to the conference report on the telecommunications bill. Mr. President, I ask that the bill be read.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The majority leader has not yet finished the request.

Mr. DOLE. Let me repeat the request.

Mr. LEAHY. Mr. President, will the distinguished majority leader yield for a moment?

Mr. DOLE. Yes.

THE FARM BILL

Mr. LEAHY. Mr. President, without going into the issue of the telecommunications bill—which I will not—I just want to emphasize what the distinguished majority leader said. As my colleagues know, he, I, and some others had an amendment at the desk. We would have voted cloture under normal circumstances. Following the first cloture vote today, the distinguished majority leader, the distinguished Democratic leader, Senator LUGAR, and I have met. I want to emphasize one thing.

In the 21 years that I have been here, the most successful farm legislation has been bipartisan farm legislation. The most successful farm legislation has been that where we have worked together. There are a lot of issues in this, from the normal crops to issues of nutrition, conservation, reserve areas, which are very important to me. I know that the only kind of legislation we are ever actually going to see go into law is something we all work together on.

I commend Senator DOLE and Senator DASCHLE and Senator LUGAR and others for working so hard to bring us together. I think we will shortly be in a position to put before the body a piece of legislation that we can at least all vote cloture on and then go on in the normal course of things on the farm bill.

But I commend those Senators again on both sides of the aisle who have been willing to work together on legislation to protect the farmers of our country, to require the production of food and fiber and allow family farms to continue, but also to protect the environment of this country and to feed the people of this country through the nutrition programs. Those programs work best when we come together to pass it. I think we are coming very close to that.

I thank the distinguished majority leader for yielding to me.

THE TELECOMMUNICATIONS BILL

Mr. DOLE. Mr. President, I think the Senator from Iowa has a legitimate request here. We are trying to clarify that now with the Senator from South Dakota. If we can do that, then we will start the debate on the telecommunications bill. I have read the colloquy. I do not see any problem with it. But I am not on the committee. I am not the committee chairman. So I hope we can work that out.

THE FARM BILL

Mr. BUMPERS. Mr. President, will the majority leader yield for a question?

The majority leader may have already covered this. I am concerned about this. I am vitally interested in the farm bill. I have no objection whatever going to the telecommunications bill. But if at some point this afternoon some sort of a compromise is reached, I hope that we will not have any difficulty setting the telecommunications bill aside and then get back to the farm bill and, hopefully, dispose of it this evening.

Mr. DOLE. We would like to dispose of it this evening. We are hoping there can be an agreement and that we have 80 votes on cloture—not 61 or 59, or whatever. I know some Members have to depart fairly soon. We are trying to accommodate everyone. It is difficult to do. But I think they are meeting as we speak in a bipartisan group.

Mr. LEAHY. Mr. President, if the leader will yield, his staff, mine, Senator LUGAR's, and Senator DASCHLE's are meeting. I think we are going to have very soon a package on the farm bill before us, at least the original package most of us can vote for and, obviously, subject to amendment after that. But the desire, I think, of the principals—those of us on both sides of the aisle who are handling this—is to get something that we can compress in time, if at all possible, and protect the legitimate interests reflected not only geographically but politically.

Mr. BUMPERS. My concern, Mr. President, to the majority leader was, I wish we could incorporate into the unanimous-consent request that the majority leader will have a right to automatically set the telecommunications bill aside. I do not want somebody to object to that and get us bogged down here so that we cannot get back to the farm bill.

Mr. DOLE. I will assure the Senator I am interested, too, just as the Senator from Arkansas is. If we get bogged down on this, we could set it aside. We have regular order to bring it back.

TELECOMMUNICATIONS ACT OF 1996—CONFERENCE REPORT

Mr. DOLE. Mr. President, I now ask unanimous consent that notwithstanding the absence of the official papers—they are somewhere else—the Senate now turn to the consideration of the conference report to accompany S. 652, the telecommunications bill, and the conference report be considered read.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 652, to provide for a procompetitive, deregulatory national policy framework designed to accelerate rapid private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of January 31, 1996.)

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMPSON). Without objection, it is so ordered.

Mr. PRESSLER. Mr. President, it is with a sense of relief and pride that we bring to the Senate floor the conference report on the telecommunications bill. I wish to commend my colleague, Senator HOLLINGS, for his outstanding leadership and bipartisan spirit throughout this debate. This long debate has brought us to the point today where we have a conference report that is very positive. It is procompetitive and deregulatory. The Telecommunications Act of 1996 will get everybody into everybody else's business.

The purpose of this bill is to update the 1934 Communications Act. This is the first complete rewrite of the telecommunications law in our country. It is very much needed.

I predict that this bill will be succeeded someday as we get into the wireless age by another act, maybe in 10 or 15 years. But this Telecommunications Act will provide us with a road map into the wireless age and into the next century.

Mr. President, what has occurred in our country is that through court decisions and through the 1934 act we have developed an economic apartheid regarding telecommunications, that is, the regional Bell companies have the local telephone service, the long-distance companies have the long-distance service, the cable companies have their section, the broadcast companies have their section.

This bill attempts to get everybody into everybody else's business and let in new entrants. For example, at President Clinton's recent White House conference on small business many small business people wrote and said, we want the Telecommunications Act of 1996 to pass because it will allow small business people to get into local telephone service, it will allow small business people to get into different segments of telecommunications.

Mr. President, this conference report we bring here today is a vast bill. It covers everything from the rules of entry into local telephone service by other competitors—it deals with long distance, it deals with cable, it deals with broadcast, it deals with the public utilities getting into telecommunications, it deals with burglar alarm issues, it deals with the authority of State and local governments over their rights of way, and it deals with the rules of satellite communication.

It will result in many things for consumers. For example, I believe it will accelerate an explosion of new devices, an explosion of new investment. What has happened in our country is that we have forced our regional Bell companies to invest overseas because we limit what they can manufacture. We have limited many of our companies in what they can do in our country. This legislation unleashes them, makes them competitive and is deregulatory in nature.

It will do a great deal for consumers. For example, and specifically, it will lower prices on local telephone calls